IN THE HIGH COURT OF JUDICATURE AT BILASPUR

Writ Petition No. 1335 of 2004

PETITIONER: Gajendra Das Bairagi, son of Shri Baijnath Das Bairagi, aged 53 years, Assistant Teacher, resident of Village Bamhani, Block Development Duldula, District Jashpur.

Versus

RESPONDENTS:

1. State of Chhattisgarh, Through: The Secretary, Ministry Scheduled Caste & Scheduled Tribes, D.K.S. Bhawan, Raipur (C.G.).
2. The Assistant Commissioner, (Adim Jati Kalyaan), Jaspur.
3. The Collector, (Adim Jati Kalyaan), Jashpur.
4. Sarpanch, Gram Panchayat Bamhani, Block Development Duldula, District Jashpur.

P.R. No. 1379/04
Presented by Shri B.P. Sharma
dated 13.05.04

संयुक्त आयुक्त
13/5/04
CERTIFIED COPY
Sec. 76 A.C. Bilaspur

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS, CERTORARI AND /OR ORDER(S) AND /OR DIRECTION(S) IN THE NATURE OF WRITS

The humble petition of the petitioner above named.

MOST RESPECTFULLY SHOWETH:

1. **Particulars of the petitioner:**

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(32)

आदेश पत्रक

मामला क्रमांक ...WP/32/1.3.95/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19.4.2005

Petitioner by Shri B. P. Sharma, Advocate.

Respondents No. 1, 2 & 3 by Shri U. N. S. Deo, Govt. Advocate.

By the instant petition under Article 226/227 of the Constitution of India, the petitioner has questioned the propriety and legality of the order dated 7.5.2004 (Annexure P/1) whereby amending the earlier order dated 22.4.2004 (Annexure P/2) the petitioner has been posted at Primary School Ghasimunda, Development Block – Farsabahar. The petitioner was working as teacher in the Primary School Raideeh, Development Block – Duldula, District – Jashpur. On receiving complaints from villagers of the village- Bamhni, the petitioner was placed under suspension, however vide order dated 22.4.2004 (Annexure P/2) he was reinstated and he was posted at Primary School – Dhotimara, Development Block – Duldula. Now, vide order impugned the said order dt. 22.4.2004 has been amended and the petitioner has been posted at Primary School, Ghasimunda, Development Block – Farsabahar.

Learned counsel for the petitioner submits that the petitioner is a sincere teacher and even the complaints were not found to be false therefore he was reinstated and in the circumstances the petitioner may be allowed to make a representation to the Respondent No.2 and the Respondent No.2 may be directed to decide the same, to which learned counsel for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case the petitioner is allowed to

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(33)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

make a detailed representation to the Respondent No.2 within a period of 10 days from today and in turn the Respondent No.2 will decide the representation within a further period of one month, from the date of receipt of such representation, considering all the points raised by the petitioner in the representation, by passing a reasoned order in accordance with law.

With the above observations this petition is disposed of finally.

Consequently M(W)P No. 1246/2004 stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Thakur

(पीछे देखिये)